

198006US2 PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Masakazu YAMAMOTO, et al.

: EXAMINER: LAU, T.

SERIAL NO: 09/623,519

:

FILED: November 6, 2000

: GROUP ART UNIT: 2863

FOR: DIAGNOSTIC SYSTEM FOR
FLUID MACHINERY

:

REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Official Action dated December 20, 2002, favorable reconsideration of the above-identified application in light of the following discussion is respectfully requested.

Claims 1-42 are presently active in this case.

Claims 2, 6, 7, 20, and 24 have been indicated as containing allowable subject matter.

Claims 1, 3-5, 8-19, 21-23, and 25-42 were rejected under 35 U.S.C. 102(a) as being anticipated by Wang et al. (U.S. Patent No. 5,619,433). For the reasons discussed below, the Applicants respectfully traverse the anticipatory rejection.

In the Office Action, the Wang et al. reference is indicated as anticipating each of Claims 1, 3-5, 8-19, 21-23, and 25-42. However, the Applicants note that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, the